

AO 442 (Rev. 11/11) Arrest Warrant

81694587

UNITED STATES DISTRICT COURT

2019 SEP 13 PM 2:12

for the
Western District of TexasCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

Robbie Frank Vargas

Case No. SA17-MJ-670

DR:19-MJ-8530

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Robbie Frank Vargas

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Felony escape from custody.

U.S. MARSHAL
W/TX

SEP 13 2019

WARRANTS
DEL RIO, TEXAS

Date: 06/09/2017

City and state: San Antonio, Texas

Issuing officer's signature

Printed name and title

John W. Trimano U.S. Magistrate Judge

Return

This warrant was received on (date) 9-13-19, and the person was arrested on (date) 9-13-19
at (city and state) Eagle Pass, TX

Date: 9-13-19

Arresting officer's signature

L Galindo, USMS IA

Printed name and title

USM#8272228
Encl. 01/11/19

FILED

SA091 (Rev. 12/03) Criminal Complaint

JUN 12 2017

UNITED STATES DISTRICT COURT

Western

DISTRICT OF

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY
TexasUNITED STATES OF AMERICA
V.

Robbie Frank Vargas

CRIMINAL COMPLAINT

Case Number:

SA17-MJ-670

DR:19-MJ-8530(1)

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 6/3/2017 in Bexar County, in the Western District of Texas defendant(s) did,

(Track Statutory Language of Offense)

Knowingly escape from custody at Crosspoint Residential Re-entry Center, 301 Yucca Street, San Antonio, TX 78203 an institutional facility in which he was lawfully confined at the direction of the Attorney General by virtue of a judgment and commitment of the United States District Court for the Western District of Texas upon conviction for the commission of a Possession With Intent to Distribute Marijuana violation of Title 21 United States Code, section 841(a)(1), and upon revocation of defendant's supervised release.

in violation of Title 18 United States Code, Section(s) 751(a).

I further state that I am a(n) Deputy United States Marshal and that this complaint is based on the following facts:

Official Title

(See Affidavit)

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Signature of Complainant

Yadira Mejia, Deputy U.S. Marshal

Printed Name of Complainant

Sworn to before me and signed in my presence,

6/12/2017

Date

at

San Antonio

Texas

City

State

John W. Primomo U.S. Magistrate Judge

Name of Judge

Title of Judge

Signature of Judge

Maximum Penalty: 5 years prison, \$250,000.00 fine, 3 years supervised release, \$100.00 mandatory special assessment.

Affidavit

I, Yadira Mejia, being duly sworn as a Deputy United States Marshal, state the following in support of the Complaint and request for Arrest Warrant.

I am a Deputy United States Marshal of the United States Marshals Service. I am currently assigned to the Western District of Texas, San Antonio division. I have been a Deputy US Marshal for approximately 15 years and have completed basic training at the Federal Law Enforcement Training Center in 2002.

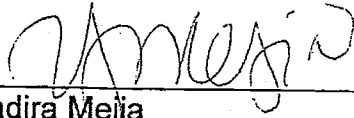
The information in this affidavit is based upon my personal knowledge and information provided to me by other law enforcement officers and individuals. The information in this affidavit is provided for the limited purpose of establishing probable cause in connection with this Application for an Arrest Warrant. The information is not a complete statement of all the facts related to this case.

On 05/30/2012, in Cause No. DR-11-CR-1786(1)-AM the Honorable Hayden Head United States District Judge for the Western District of Texas, ordered VARGAS, Robbie Frank to serve a 18-month term in the custody of the United States Bureau of Prisons followed by 2 years Term of Supervised Release for Possession of Marijuana with intent to distribute in violation of Title 21 USC 841(a)(1) &(b)(1)(B).

VARGAS violated conditions of his Supervised Release and was subsequently re-arrested on 08/12/2016 by the United States Marshals Service. VARGAS was found guilty by a preponderance of the evidence after having an evidentiary final revocation hearing and was sentenced to serve and 12-month term in the custody of the United States Bureau of Prisons followed by 5 years Term of Supervised Release. While on Supervised Release, VARGAS was ordered to reside in the halfway house for a period of 6 months of supervised release and observe the rules of the halfway house.

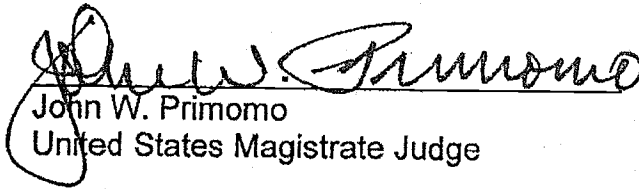
On 05/22/2017 as part of that sentence VARGAS was placed by the Bureau of Prisons at Crosspoint Inc Re-entry Center in San Antonio, Texas. On 06/03/2017 at approximately 10:30 am VARGAS signed out to an approved pass to Walmart located at 2100 SE loop 410, San Antonio, TX 78220 from 08:00 am -10:30 am. VARGAS did not return at his scheduled time. VARGAS was placed on escape status because he failed to return and his whereabouts are currently unknown. VARGAS left the custody of the Bureau of Prisons without completing his Federal District Court imposed sentence.

On 06/03/2017 at approximately 2:00 pm Halfway House Administrator, David Dwyer, United States Bureau Of Prisons, notified the United States Marshal Service of the escape and requested the assistance of the United States Marshal Service in apprehending inmate VARGAS.



Affiant Yadira Mejia
Deputy United States Marshal
United States Marshals Service

Sworn to and subscribed before me, this the 12th day of June, 2017.



John W. Primomo
United States Magistrate Judge


- d. ☐ Defendant informed of constitutional rights.
My constitutional rights have been explained to me.
Date _____ Signature _____
- e. ☒ Defendant informed of right to Preliminary Examination.
set for to be set in charging division
OR
☐ No right to Preliminary Examination.
Arraignment set for _____
- f. ☒ Defendant informed of right to legal counsel.
_____ 1) Defendant waives counsel, **OR**
_____ 2) Defendant will try to secure counsel and inform court by _____
as to name, address of counsel retained, **OR**
_____ 3) Defendant requests appointment of counsel.
- x
Defendant has NOT completed financial affidavit.
_____ ☒ a) Court finds Defendant is financially eligible and orders counsel appointed.
OR _____ to be appointed in charging division
_____ b) Court finds Defendant is financially ineligible and denies request.
Defendant to advise Court by _____ as to name, address of counsel retained.
- g. ☒ **PRETRIAL RELEASE:**
☒ 1) Government moved for detention under §3124(f).
Detention Hearing set for: to be set in charging division
☐ 2) Court SUA SPONTE "moves" for detention.
Detention Hearing set for: _____
☐ 3) Temporary detention ordered.
Bond Hearing set for: _____
☐ 4) Court orders Defendant be released on the following conditions:
☐ a) Personal recognizance.
☐ b) Defendant's bond set at \$ _____
☐ which is unsecured.
☐ which requires _____ % deposit.
☐ which requires 100% cash/corporate/surety.
☐ Additional conditions of release as set forth in Order Setting Conditions of Release.
☒ 5) Detention ordered (i.e., Probation Violation).
- h. ☐ Temporary commitment issued _____
Date _____

- i. ☐ Preliminary Examination continued/reset to _____
at _____ *Time* _____ *Date*
- j. ☐ Preliminary Examination held _____
_____ *Date*
- k. ☐ Probable Cause found _____
OR _____ *Date*
- ☐ No Probable Cause found _____
_____ *Date*
- l. ☐ Defendant held to District Court _____
_____ *Date*
- m. ☐ Defendant dismissed on Government's motion _____
_____ *Date*
- n. ☐ Final Commitment Issued _____
_____ *Date*
- o. ☐ Arraignment Set _____
_____ *Date*
5. a. ☒ **OTHER PROCEEDINGS** *Defendant Ordered Removed to San Antonio Division
for all further court proceedings.* _____

FILED

SEP 16 2019

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY

United States of America

vs.

(1) Robbie Frank Vargas
Defendant

§
§
§
§
§

Case Number: DR:19-M -08530(1)

(Case No.: SA17-MJ-670)

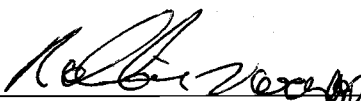
WAIVER OF REMOVAL HEARING

I, (1) Robbie Frank Vargas, charged with 18:751(a) Escape from Custody; and having been arrested in the WESTERN DISTRICT OF TEXAS, DEL RIO Division, and taken before VICTOR ROBERTO GARCIA, a UNITED STATES MAGISTRATE JUDGE for that District, who informed me of the charge and of my right to retain counsel or request the assignment of counsel if I am unable to retain counsel, and to have a hearing or execute a waiver thereof, do hereby waive a hearing before the aforementioned Magistrate Judge and consent to the issuance of a warrant for my removal to the United States District Court, San Antonio Division, where the aforementioned charge is pending against me.

WITNESS:




VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE
JUDGE


(1) Robbie Frank Vargas, Defendant
9/16/2019

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

SEP 16 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

United States of America

vs.

(1) Robbie Frank Vargas
Defendant

§
§
§
§
§

Case Number: DR:19-M -08530(1)
SA17-MJ-670

ORDER OF REMOVAL

TO THE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TEXAS:

(1) Robbie Frank Vargas is charged in the United States District Court, Western District of Texas San Antonio Division, 18:751(a) Escape from Custody.

The Court finds that a warrant of arrest has been issued for the Defendant from the United States District Court, Western District of Texas San Antonio Division, and Defendant has been arrested in this division. The Court further determined that the Defendant is the person named in said warrant.

YOU ARE HEREBY COMMANDED TO REMOVE (1) Robbie Frank Vargas to the Western District of Texas San Antonio Division, and there deliver him/her to the United States Marshal for that District or to some other officer authorized to receive him/her.

Defendant is being detained without bond.

ORDERED at DEL RIO, Texas, on 16th day of September, 2019.

RECEIVED
US MARSHALS
WITX-DEL RIO

2019 SEP 17 PM 12:24


VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE